

DETAILED ACTION

Claim Objections

In the "Status of the Claims" included within the Remarks dated September 22, 2009, Applicants Attorney did not identify claims 804-806. Claims 804-806 were objected to as being dependent on a rejected base claim, have not been canceled and thus are pending. Also, claims 804-806 depend from cancelled claim 801, see page 31 of the Remarks, a claim which the Examiner has previously rejected. Therefore, it is unclear whether claims 804-806 were intended to be cancelled as well, to be amended to incorporate the limitations of the cancelled based claim or to have their dependency redirected to an allowable claim or dependent thereof.

This application is in condition for allowance except for claims 804-806 which depend directly or indirectly from cancelled claim 801.

Conclusion

This application is in condition for allowance except for the following formal matters noted above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Thompson whose telephone number is (571)272-7037. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

26 October 2009

/Kenneth Thompson/
Primary Examiner, Art Unit 3672